

FEB 15 2006

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FACSIMILE COVER LETTER

To: Commissioner for Patents
Examiner Jones III, Clyde H.

Firm: U.S. Patent and Trademark Office
Art Unit 2611

Facsimile: (571) 273-8300

From: Thomas F. Presson

Date: February 15, 2006

Re: FLH Ref No.: 450100-03501
Serial No: 09/966,704

Number of Pages: 16
(including cover page)

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00343187

FEB 15 2006

PATENT
450100-03501IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tetsujiro Kondo, et al.
 Serial No. : 09/966,704
 Filed : September 28, 2001
 For : AUDIENCE RESPONSE DETERMINATION APPARATUS,
 PLAYBACK OUTPUT CONTROL SYSTEM, AUDIENCE
 RESPONSE DETERMINATION METHOD, PLAYBACK OUTPUT
 CONTROL METHOD, AND RECORDING MEDIA
 Examiner : Jones III, Clyde H.
 Art Unit : 2611

745 Fifth Avenue
 New York, NY 10151
 Tel: 212-588-0800

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
☐ The fee has been calculated as shown below.
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	24	Minus	** = 24	* 0 x	\$50 (25)	= \$.
Independent claims	6	Minus	*** = 6	* 0 x	\$200 (100)	= \$.
Total additional fee for this amendment						\$.

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$300 (150) has been previously paid ☐, or is paid herewith ☐.
- ☐ This response is being filed within the ___ month following the expiration of the term originally set therefor. This is a petition to request a ___ month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A check in the amount of \$___ is attached, which covers the cost of ☐ additional claims ☐ petition for extension of time.
- ☐ Charge \$___ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted via
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Barnet Shindelman

(Name of person signing transmittal)



Signature

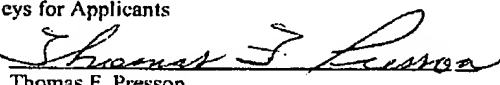
February 15, 2006

Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
 Attorneys for Applicants

By:


 Thomas F. Presson
 Reg. No. 41,442

00343178

U.S. Patent Application No. 09/966,704
Reply to Office Action dated November 17, 2005

FEB 15 2006

PATENT
450100-02501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tetsujiro Kondo, et al.
Serial No. : 09/966,704
For : AUDIENCE RESPONSE DETERMINATION APPARATUS,
PLAYBACK OUTPUT CONTROL SYSTEM, AUDIENCE
RESPONSE DETERMINATION METHOD, PLAYBACK OUTPUT
CONTROL METHOD, AND RECORDING MEDIA
Filed : September 28, 2001
Examiner : Jones III, Clyde H.
Art Unit : 2611
Confirmation No. : 6412

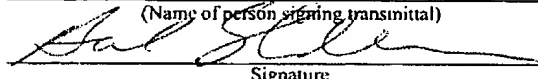
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New York, NY 10151

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Barnet Shindlman

(Name of person signing transmittal)



Signature

February 15, 2006

Date of Signature

AMENDMENT UNDER 37 C.F.R. § 1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Non-final Office Action mailed on November 17, 2005, having
a three-month statutory period for response set to expire on February 17, 2006, please amend the
above-identified application as follows.

U.S. Patent Application No. 09/966,704
Reply to Office Action dated November 17, 2005

PATENT
450100-05501

Amendments to the Claims are reflected in the listing of claims, which begins
on page 3 of this paper.

Remarks/Arguments begin on page 10 of this paper.